## Case 3:06-cv-07867-WHA Document 23 Filed 06/13/07 Page 1 of 4

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Oakland, CA 94621 Telephone: (510) 839-3882 E-mail: john.burris@johnburrislaw.com  GAYLA B. LIBET, Esq./ State Bar # 109173 LAW OFFICES OF GAYLA B. LIBET 486 41st Street, # 3 Oakland, CA 94609 Telephone: (510) 420-0324 Facsimile: (510) 420-0324 E-Mail: Glibet@sbcglobal.net  Attorneys for Plaintiffs  GREGG A. THORNTON, Esq./ State Bar # 146282 KELLI GEORGE, Esq./ State Bar # 225689 SELMAN BREITMAN LLP 33 New Montgomery Street, Sixth Floor San Francisco, CA 94105 Telephone: (415) 979-2099 E-Mail: kgeorge@selmanbreitman.com  Attorneys for Defendants  UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA  STEVE L. WALKUP; DEBORAH J. OWEN; A.W., a minor, by and through her guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad litem, STEVE L. WALKUP, and, Z.W., a minor, by and through his guardian ad	2	Airport Corporate Center	
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and DOES 1-25, inclusive,  Defendants	26	for CITY OF COLMA; ROGER ARREOLA, individually,	
Defendants /			OLIVIA;
28   Detendants.	27	Defendants	1
	28	Detendants.	

## **STIPULATION**

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

- 1. Counsel for plaintiffs informed the Evaluator, Louis A. Leone, Esq., of their need for further time to conduct discovery, and Mr. Leone and defense counsel agree with the extension of time deadline proposed in this Stipulation. This extension of time for completion of Early Neutral Evaluation is needed so that all parties can engage in a productive Neutral Evaluation hearing.
- 2. Prior to a meaningful Early Neutral Evaluation, the parties need to conduct the following discovery: Plaintiffs' service of Responses to four sets of Special Interrogatories, and four sets of Requests for Production of Documents (which Responses are not due until 6-27-07); take the depositions of the parties; locate and take the depositions of witnesses; and receive important medical records and billings and wage loss information for plaintiffs (which has been requested, but not yet received); and, defense counsel have just recently served Defendant's Responses to Plaintiffs' Special Interrogatories and Request for Production of Documents, including responsive confidential/privileged documents pursuant to a Stipulated Protective Order. Plaintiffs' counsel need to review this material and decide whether any further discovery is necessitated by information contained in these documents;
- 3. Mr. Burris is lead counsel and will attend the Early Neutral Evaluation. He and Ms. Libet have been swamped with work in a case wit a lot of witnesses and discovery for the last five weeks, and during this month and July, will also have to conduct a great deal of discovery in several cases;
- 4. Mr. Burris will be on vacation from June 24th through July 7th 2007 and during the first week of August 2007;
- 5. Accordingly, the parties, by and through their respective counsel, hereby stipulate and jointly request that the deadline for the occurrence of the Early Neutral Evaluation in this case

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be extended from  $\underline{6-22-07}$  until  $\underline{8-22-07}$ , or as soon thereafter as the Court deems appropriate. 1 2 LAW OFFICES OF GAYLA B. LIBET 3 4 Dated: 6/12/07 By: /s/ Gayla B. Libet 5 GAYLA B. LIBET, Esq. 6 Attorneys for Plaintiffs 7 8 LAW OFFICES OF JOHN L. BURRIS 9 10 Dated: 6/12/07 By: /s/ John L. Burris 11 JOHN L. BURRIS, Esq. Attorneys for Plaintiffs 12 13 SELMAN BREITMAN LLP 14 15 16 Dated: 6/12/07 By: /s/ Kelli E. George GREGG A. THORNTON, Esq. 17 KELLI E. GEORGE, Esq. Attorneys for Defendants 18 19 20 21 22 23 24 25 26 27 28

STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR COMPLETION OF EARLY NEUTRAL EVALUATION

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 13, 2007

HONORABLE WILLSAM H. ALS

United States District Court Judge